

### REMARKS

In response to the non-final office action of July 13, 2005, applicants asks that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 31-34, 36-43 and 45-48 are now pending, of which claims 31 and 40 are independent. Claims 31, 36, 38, 40, 45 and 47 have been amended. Support for these amendments may be found in the application at, for example, page 12, lines 5-12 and page 14, lines 9-16. No new matter has been introduced.

Applicant would like to thank Examiner Klimach for the courtesies extended to applicant's representative during the personal interview conducted on October 28, 2005. As reflected by the Interview Summary (see copy of PTOL-413 form attached to this amendment), the Examiner and applicant's representatives discussed claim 31 in comparison with Klemba (U.S. Patent No. 5,651,068).

#### **Rejection of Claims 31, 38-40, 47 and 48 under Section 103**

Claims 31, 38-40, 47 and 48 have been rejected under 35 U.S.C. § 103 as being unpatentable over Klemba (U.S. Patent No. 5,651,068) in view of the Microsoft Press Computer Dictionary, Third Edition, Microsoft Press, 1997 (hereinafter, Dictionary) and Shrader (U.S. Patent No. 6,526,513). With respect to claim 31 and its dependent claims 38 and 39, applicant requests reconsideration and withdrawal of this rejection because Klemba, Dictionary, Shrader and any proper combination of the references fail to describe or suggest a policy file that controls access to functions of an application program where the policy file includes a signature portion including at least one digital certificate.

Claim 31, as amended, is directed to a method for controlling functions of an application program. The method includes accessing a policy file that includes an attribute portion configured to store one or more policy attributes, each of which represents a function capable of being performed by the application program. The policy file also includes a value portion having one or more attribute values. Each attribute value corresponds to a policy attribute and indicates whether an application program may access the function represented by the policy attribute. The method also includes retrieving at least one of the attributes, and, for each retrieved attribute, an attribute value corresponding to the attribute from the policy file. The method further includes

determining whether a function represented by a retrieved attribute is permitted to be accessed by the application program and permitting the application program to access the function conditioned upon a determination that the policy file is unaltered.

In contrast, Klemba, through the use of a hardware device (specifically, a national flag card or NFC), controls the cryptographic functions of the cryptographic engine. Klemba does not describe or suggest a digital signature, much less including a signature portion that includes a digital certificate in a policy file. Neither Dictionary nor Shrader discloses a digital signature, much less a digital certificate in a signature portion of a policy file. Nor does the Office action contend that Klemba, Dictionary or Shrader does so. Rather, the Office action relies on Dictionary and Shrader for teaching that the policy of Klemba could be represented as a file. See Office action of July 13, 2005 at page 3, line 12 to page 4, line 9.

Accordingly, Klemba, Dictionary or Shrader nor any proper combination of the references do not describe or suggest a policy file that has a signature portion including at least one digital certificate, as recited in amended claim 31. For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claim 31 and its dependent claims 38 and 39.

Because the Office action relies on Schneier in Applied Cryptography for the teaching of a digital signature with regard to rejections of claims 36, 37 and 45-48, the following remarks are provided to advance prosecution. Schneier describes signing documents with public-key cryptography. More particularly, Schneier discloses that an individual (i.e., a sender) can use a private key known only to the signing individual to encrypt or sign a document, send the document to a recipient, and a recipient can decrypt the document using the sender's public key to verify the authenticity of the document. See Schneier at pages 37-38. Schneier discloses that "[t]he signed document is unalterable; if there is any alteration to the document, the signature can no longer be verified with [the sender's] public key." As such, Schneier discloses use of a digital signature to render a document unalterable. However, Schneier does not describe or suggest including a digital certificate in the document.

Accordingly, Schneier does not describe or suggest a policy file that has a signature portion including at least one digital certificate, nor does Schneier suggest determining whether the policy file is unaltered based on the signature portion of the policy file, each such aspect

being recited in amended claim 31. For at least these reasons, applicant submits that amended claim 31 and its dependent claims 38 and 39 are allowable.

Claim 40 recites features similar to those discussed above with respect to claim 31 in the context of an apparatus. Claims 47 and 48 depend from claim 40.

Accordingly, for the reasons discussed above with respect to claim 31, applicant requests withdrawal of the rejection of independent claim 40, as well as claims 47 and 48, which depend from claim 40.

### **Rejection of Claims 32, 33, 41 and 42 under Section 103**

Claims 32, 33, 41 and 42 have been rejected under 35 U.S.C. § 103 as being unpatentable over Klemba in view of Dictionary, Shrader and Anderl (WO 87/07063). Applicant respectfully traverses the rejection because Anderl does not cure the failure of Klemba to describe or suggest a policy file that has a signature portion including at least one digital certificate, as recited amended claims 31 and 40, from which claims 32, 33, 41 and 42 respectively depend.

Anderl discloses a smart card capable of storing multiple files. See Anderl at page 1, lines 5-8 and page 2, lines 19-29. Anderl does not disclose or suggest a policy file that has a signature portion including at least one digital certificate. Thus, Anderl cannot cure Klemba's failure to describe or suggest the subject matter of amended independent claims 31 or 40, as described above.

At least for the reasons discussed above and their dependency on claims 31 and 40, respectively, applicant requests reconsideration and withdrawal of the rejection of claims 32, 33, 41 and 42.

### **Rejection of Claims 36, 37, and 45-48 under Section 103**

Claims 36, 37, and 45-48 have been rejected 35 U.S.C. § 103 as being unpatentable over Klemba and Dictionary in further view of Schneider in Applied Cryptography. Applicant respectfully requests reconsideration and withdrawal of the rejection because Schneier does not cure the failure of Klemba or Dictionary to describe or suggest a policy file that has a signature portion including at least one digital certificate, as recited in claims 31 and 40 on which claims 36, 37 and 45-48 depend, respectively.

For at least the reasons described above with respect to claims 31 and 40, and based on claims 36, 37 and 45-48 dependency from independent claim 31 or 40, respectively, applicant respectfully requests withdrawal of the rejection of claims 36, 37 and 45-48.

### **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant submits that all claims are in condition for allowance.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated July 13, 2005, be extended for one month to and including November 13, 2005. Applicant notes that November 13, 2005 occurred on a Sunday.

Enclosed is a check in the amount of \$120.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: November 14, 2005

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